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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/654,857	09/05/2000	Marc Lambertson	FR9-1999-0061US1	8194
45211	7590	09/09/2004	EXAMINER	
KELLY K. KORDZIK WINSTEAD SECHREST & MINICK PC PO BOX 50784 DALLAS, TX 75201			ZHONG, CHAD	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/654,857

Applicant(s)

LAMBERTON ET AL.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

OFFICE ACTION

1. This action is responsive to communications: Amendment, filed on 07/06/2004.
2. Claims 1-15 are presented for examination. In amendment B, filed on 07/06/2004: claims 2, 4, 7, 9, 12, and 14 are amended.
3. The disclosure is objected to because of the following informalities:
It is not clearly indicated where [356] exists on the figures (pg 11, line 26); Appropriate correction is required. Examiner did not receive a copy of this figure.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-2, 4, 10-13, 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Pistriotto et al. (hereinafter Pistriotto), US 6,138,162.
6. As per claim 1, Pistriotto teaches a client-server environment, a method for providing transparency in a gateway of an IP network comprising the steps of (Col. 6, lines 55-65):
interrogating a directory comprising data for each end-user of said IP network (Col. 7, lines 7-20);
retrieving parameters associated with said data for a first end-user in response to an access request from a client application of said first end-user (abstract; Col. 7, lines 35-47);
relaying data between said client application and said application server (Col. 8, lines 19-44).

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accessing an application server on behalf of said client application in accordance with said retrieved parameters for said first end-user (Col. 8, lines 19-44).

7. As per claim 2 Pistriotto teaches the step of creating, in said gateway of said IP network, a directory including entries for every end-user on said IP network (Col. 7, lines 7-21; the directory exist on the gateway, further, all user entries goes through the gateway).

8. As per claim 4, Pistriotto teaches wherein the step of retrieving parameters associated with said end-user for said request from said client application includes the steps of:

obtaining leading data from said client application having issued said request for said end-user (Col. 7, lines 5-20);

parsing said leading data (Col. 7, lines 5-20);

determining a protocol said client application is currently using (Col. 4, lines 1-12, lines 30-50; Claim 8);

interrogating said directory at an entry corresponding to said first end-user (Col. 7, lines 7-21);

retrieving parameters associated with said request (Col. 7, lines 7-21; GET request in a protocol specific format, i.e. http, parameters would need to be in http compliant for transfer to take place); and

executing said protocol in accordance with said parameters associated with said protocol (Col. 8, line 1-44; executing based on parameter obtained from previous request, all in the same protocol form).

9. As per claims 6 and 11, claims 6 and 11 are rejected for the same reason as the rejection to claim 1 above.

10. As per claims 7 and 12, claims 7 and 12 are rejected for the same reason as the rejection to claim 2 above.

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11. As per claims 9 and 14, claims 9 and 14 are rejected for the same reason as the rejection to claim 2 above.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 3, 8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pistriotto et al. (hereinafter Pistriotto), US 6,138,162, in view of 'Official Notice'.

14. As per claim 3, Pistriotto teaches the step of updating, in said gateway of said network, the directory of said end-users, said step of updating the directory including the steps of:

enabling entries for those of said end-users that connect (Col. 8, lines 15-44); and

updating said entries of said end-users comprising dynamic parameters whenever said parameters are changing while connected (Col. 8, lines 15-44).

15. Pistriotto does not explicitly teach

disabling entries for those of said end-users that disconnect.

"Official Notice" is taken that the concept and advantages of providing for

disabling entries for those of said end-users that disconnect

is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include the above section with Pistriotto because it would provide for reuse of system resources, there is no reason to keep the entries open longer once the user disconnects, to save resources, the connection

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typically times out and close itself out in order to conserve resources. Normally this operation is done an keep track through a timer.

16. As per claims 8 and 13, claims 8 and 13 are rejected for the same reason as the rejection to claim 3 above.

17. Claims 5, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pistriotto et al. (hereinafter Pistriotto), US 6,138,162, in view of Banavar et al. (hereinafter Banavar), US 6,662,206.

18. As per claim 5, Pistriotto does not explicitly teach the step of informing said end-user of said client application that a server application is unavailable if a link to said application server is not established.

19. Banavar teaches the step of informing said end-user of said client application that a server application is unavailable if a link to said application server is not established (Col. 2, lines 27-40; Col. 1, lines 55-67; Col. 8, lines 1-10).

20. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Pistriotto and Banavar because they both dealing with updating the status for a system through real time events occurring in the system. Furthermore, the teaching of Banavar to allow the step of informing said end-user of said client application that a server application is unavailable if a link to said application server is not established would improve the failure analysis for Pistriotto's system by monitoring the link in a real time basis to detect any potential link failures.

21. As per claims 10 and 15, claims 10 and 15 are rejected for the same reason as the rejection to claim 5 above.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

“System and method for improving gateway transparency”.

- | | | |
|-------|---|--------------------|
| i. | US 2002/0059429 | Carpenter et al. |
| ii. | US 6,529,937 | Murphy, Jr. et al. |
| iii. | US 5,740,361 | Brown. |
| iv. | US 6,058,480 | Brown. |
| v. | US 6,078,943 | Yu. |
| vi. | US 2003/0140153 | Lawrence. |
| vii. | US 6,061,692 | Thomas et al. |
| viii. | “Address Allocation for Private Internets” RFC 1597, March 1994 | |
| ix. | US 6,477,577 | Asano. |
| x. | US 5,699,350 | Kraslavsky. |
| xi. | US 5,845,255 | Mayaud. |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ

August 19, 2004

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line that curves upwards at the end.

Dung C. Dinh
Primary Examiner